

**GUILFORD REGULAR TOWN BOARD MEETING
WEDNESDAY, JUNE 14, 2023, AT 7:00 PM
TOWN HALL, GUILFORD CENTER
STATE OF NEW YORK**

Town Board present: Councilmember Terence Ives
Councilmember Thomas Ives
Councilmember Matthew Retz
Councilmember Gilda Ward
Supervisor George Seneck

Officials present: Town Clerk Jodie Ives
Deputy Town Clerk Gail Hoffman
Highway Superintendent Robert Fleming

I CALL TO ORDER

Supervisor Seneck called the regular meeting to order at 7:00 p.m.

II PLEDGE OF ALLEGIANCE

Councilmember Gilda Ward led the Pledge of Allegiance to the Flag.

III APPROVAL OF MINUTES

RESOLUTION - Motion to dispense with the reading of the minutes from the May 10, 2023, meeting was moved by Councilmember Tom Ives. Seconded by Councilmember Terry Ives. Ayes: Councilmember Terry Ives, Tom Ives, Matt Retz, and Gilda Ward. Noes: None. Motion carries.

RESOLUTION - Motion to approve the minutes from the May 10, 2023, meeting as presented was moved by Councilmember Terry Ives. Seconded by Councilmember Matt Retz. Ayes: Councilmember Terry Ives, Tom Ives, Matt Retz, and Gilda Ward. Noes: None. Motion carries.

RESOLUTION - Motion to dispense with the reading of the minutes from the June 06, 2023, meeting was moved by Councilmember Tom Ives. Seconded by Councilmember Terry Ives. Ayes: Councilmember Terry Ives, Tom Ives, Matt Retz, and Gilda Ward. Noes: None. Motion carries.

RESOLUTION - Motion to approve the minutes from the June 6, 2023, meeting as presented was moved by Councilmember Gilda Ward. Seconded by Councilmember Matt Retz. Ayes: Councilmember Terry Ives, Tom Ives, Matt Retz, and Gilda Ward. Noes: None. Motion carries.

IV COURT FUNDS TRANSFER – JUDGE OSBORN – There are multiple shortages in Judge Persons account. It is very complicated to determine the exact amount of these shortages. A NYS Comptroller audit found a specific shortage of \$143.00 for a payment that was received and receipted but never deposited in the bank account. There are refunds due and credit card payments never receipted. Judge Osborn believes she will be asking for funding support from the Town General fund for three separate amounts: \$143.00, \$146.00, and \$10.00.

A balance of \$2,262.00 remained in Judge Persons bank account. These funds have been transferred to Judge Osborn's account and the account in Judge Persons name is now closed.

RESOLUTION - Motion to table the request for funding in the amount of \$143.00 for a court account shortage payable to the NYS Comptroller's Office pending Town Board review of related documents moved by Councilmember Terry Ives. Seconded by Councilmember Gilda Ward. Ayes: Councilmember Terry Ives, Tom Ives, Matt Retz, and Gilda Ward. Noes: None. Motion carries.

V FROM THE FLOOR – Speaker 1 – A Crandall Road, Mount Upton resident feels there has been a misappropriation of Highway funds. While Crandall, Shumway Hill and White's Hill Roads and many others in the town need maintenance, Ken Stead South Road, where only one resident resides permanently, was paved costing over \$37,000.00 and the work is not complete. Meanwhile Crandall Road needs ditch work and culvert repairs.

Highway Superintendent, Bob Fleming, replies that many repairs have been done throughout the years to Crandall Road. In 2010 the shoulders were widened. In 2012 the ditches were cleaned and five driveway pipes were replaced. In 2015 the road was oil and stoned. In 2018 the creek was cleaned on both sides of the crossover pipe. In 2019 three driveway pipes were replaced and in 2022 the top of Crandall Road was redone with gravel and drainage installed on road edges. CHIPS funding is available by road every 10 years and Crandall Road funding is not available until 2025. Superintendent Fleming states regarding Stead Road that the road was upgraded with free recycled grindings. Had the town used hot mix pavement the cost would have run between \$150,000 and \$175,000 per mile. Also, road improvements will save the town money in future maintenance costs.

Speaker 2 A Crandall Road resident is looking for records of the Crandall Road abandonment and inquires why the road is not fully stone and oiled but has a gravel section to the turn around.

Speaker 3 A Joslyn Road resident states there is excessive speed, and the road conditions are not conducive. Supervisor Seneck suggests a resident petition be completed. Highway Superintendent, Bob Fleming, acknowledged that Joslyn Road conditions need improvement.

Speaker 4 A Stead Road resident states the road was extremely dusty and in disrepair and thanks the town for the improvement to the road conditions.

Speaker 5 A Merchant Street resident inquires about a comment or answer session as a follow up for topics that arise during public session of our meetings. Supervisor Seneck stated that he is available after the meeting to discuss such topics. Speaker 5 also states that he feels our Highway Department is doing a nice job.

VI REPORTS

A. SUPERVISOR – Supervisor Seneck reported the following:

1. Received no response from Jeremy Person requesting that he return building keys.
2. The request for an EFC funding extension for Guilford Water was submitted.
3. Preparing to send the Comptroller's Office the September/October 2021 financial report for Justice Persons.
4. The Chenango County Board of Supervisors has proclaimed June "Dairy Month" in Chenango County.
5. Saturday, June 17th is Dairy Day at the Chenango County Fair Grounds.
6. Dilbert Layne, the owner of the old Mount Upton High School property, plans to apply for a Demo Permit for the condemned structure on that property by the end of the month.
7. The Quarterly BAGS meeting will be June 21st.
8. The new security system installers are doing a great job at no addition cost. The camera system is in and they are working on wiring for the fire alarm.
9. Information on livestock fencing laws was in Board packets. Thank you Councilmember Tom Ives.

B. TOWN CLERK – Town Clerk Jodie Ives reported the following:

1. Taxes – total taxes collected this year were \$2,940,790.96 and total penalties collected were \$11,498.15. The amount of penalties received did end up exceeding the budget. A total of 89.5% of the warrant was collected which is down from last year by just over 1%. The total to be returned to the county is \$347,262.67. The tax account balanced to the penny and taxes will be returned to the County this week.
2. The May Statistics report, Assessor’s report and Dog Control Officer report were included in the board packet. Fishing and hunting license sales for this time of year have exceeded the norm. Community members are realizing the convenience of getting such licenses right here from the Town.
3. The Town received a thank you note from the Little Raiders Youth Sports Program. Also, a Boy Scout group from Syracuse used Mount Upton Park over Memorial Weekend and were very appreciative of the generosity of the Town and Town Board.
4. Planning to close the office on July 3rd and have a long holiday weekend.
5. The Guilford Fire Department contacted us requesting that we post their information on the Town’s website. In the past, the prior Town decision was to not post outside organization information.
6. The Comptroller’s Office Auditors are still here. They were able to balance the 2022 Tax account to the penny. There are a few items that we need to fix. They still have not determined the single audit focus.
7. Johnson Controls have finished the security camera portion of upgrades. We added a camera that faces down-directly on the work counter and window where transactions and cash exchanges take place.

C. FINANCIALS - Supervisor Seneck reported the following:

1. Two corrections are needed in the Financials: \$0.16 of interest needs to be added to the Cemetery account. Sales tax amounts were incorrectly distributed to the General and Highway Funds.
2. Reviewed Unassigned Fund Balances in the General and Highway Funds.
3. Revenues – Propose to transfer Sale of Surplus Equipment funds received to the Highway Equipment reserve.
4. Sales tax is running about 1% above last year.

RESOLUTION - Motion to accept the May 2023 financials as presented moved by Councilmember Tom Ives. Seconded by Councilmember Matt Retz. Ayes: Councilmember Terry Ives, Tom Ives, Matt Retz, and Gilda Ward. Noes: None. Motion carries.

Proposed Budget Amendments for June 2023

Town Highway Increase revenue DA3501 Chips \$31,982.77 (new total \$269,288.99)
Decrease revenue DA3502 PAVE NY \$49.34 (new total \$62,868.84)
Increase revenue DA 3503 EWR \$53,544.44
Increase revenue DA3504 POP \$41,912.56

Increase DA5112.2 Improvements Capital Outlay \$127,390.43
(new total \$427,614.83) *State Aid*

Mount Upton Water

Increase SW1-8310.4 Admin Contractual +\$1,000

From Unassigned Fund Balance -\$1,000
*Costs storage bldg.

RESOLUTION - Motion to accept the proposed budget amendments moved by Councilmember Terry Ives.
Seconded by Councilmember Matt Retz. Ayes: Councilmember Tom Ives, Terry Ives, Matt Retz, and Gilda Ward.
Noes: None. Motion carries.

D. HIGHWAY – Highway Superintendent Robert Fleming reported the following:

- a. Changed crossover and driveway pipes on upper Highbridge Road. Cut shoulders and cleaned ditches and topped with #2 stone to be ready to grind on Thursday, June 22nd. The road will be rough during this time.
- b. Resurfaced and sealed Merchant, Mechanic, Depot, School, Nicholson and Lake Roads and oil and stoned Bruffel Hill Road.
- c. Completed gradall work on Parker Smith Hill, Cooper Schoolhouse, Upper Highbridge and Mary Lynne Lane Roads.
- d. Changed four crossover pipes and four driveway pipes on Wade Road.
- e. Helped the town highway departments in Bainbridge and Oxford. Oxford helped today with Highbridge Road.
- f. Summer help is doing a nice job in the parks and cemeteries.

E. COMMITTEE REPORTS

1. **HIGHWAY COMMITTEE** – Councilmember Retz reported the following:

- a. Met on 5/24/23.
- b. Whites Hill Road repairs discussed.
- c. Reviewed Highway Dash Cameras.
- d. Hope to at least break even on the county roadside mowing.
- e. Church Street in Mount Upton is in need of repairs which will include drainage issues.
- f. Crandall Road does need attention.

2. **BUILDING COMMITTEE** - Councilmember Ward reported the following:

- a. Met on 6/12/23.
- b. The new docks are at the Lake and will be installed.
- c. A float stuck in the water storage tank and overflowed in the highway garage.
- d. Wakeman started repairs to the garage on 6/14/23. The door will be installed 6/21/23.
- e. Ideas are being looked at for the outside stairs.
- f. The outside plow décor is peeling and rusting.

3. **PLANNING COMMITTEE** – no business.

4. **PARK UPDATES** – Councilmember Ward reported the following:

- a. Met May 16, 2023.
- b. Park members will notify the Town Clerk of damage, dirty bathrooms or garbage left after events.
- c. Repairs to the park have included the bubble window on the slide set, lightbulbs, outlets and covers, picnic tables and motion sensor lights.
- d. There have been some concerns about parking near the fields beyond the buildings. Signs will need to be posted.

- e. We have a volunteer student community worker doing weekly clean up, sweeping and garbage removal.

VII OLD BUSINESS

- A. RFP HIGHWAY COLD STORAGE ENGINEERING PROPOSALS** – The revised RFP for Cold Storage design Engineered plans resulted in one bid received from Doak Engineering. This will include engineering for electrical design. RESOLUTION - Motion to accept the RFP for Engineered plans for our Cold Storage Building from Doak Engineering Design, P.C. at the cost not to exceed \$4,000.00 and authorize Supervisor Seneck to sign the contract moved by Councilmember Terry Ives. Seconded by Councilmember Gilda Ward. Ayes: Councilmember Terry Ives, Tom Ives, Matt Retz, and Gilda Ward. Noes: None. Motion Carries.
- B. HIGHWAY DASH CAMERAS** – Received three proposals for dash cams. Teletrac at a cost of \$6,480 per year, Samsara at \$3,388 per year, and Verizon at \$5,728 per year. Samsara offers a free pilot program of a forward-facing camera. It would be in the best interest of the town to complete the pilot during the snow season. There are also Union concerns and we would need a legal agreement if the cameras were installed facing the driver. The board would like the representative from Samsara to come in and discuss the cameras, their available options and union matters at the next meeting.
- C. DOG ENUMERATION** – We polled Town Clerks statewide for their processes and rates. Our plan will be a multi-step process and we have decided to start from within the office. Phone calls have been made to check on delinquent dogs in our database. We are sending mailings to residents believed to have unlicensed dogs. We are posting information on the Town Website and Facebook which will include rabies clinics, licensing fees, and fines as well as plans for enumeration. The actual enumeration will follow. RESOLUTION - Motion to set a rate of \$3.50 per dog plus mileage for the dog enumeration that will be conducted at a future time moved by Councilmember Terry Ives. Seconded by Councilmember Gilda Ward. Ayes: Councilmember Terry Ives, Tom Ives, Matt Retz, and Gilda Ward. Noes: None. Motion Carries.
- D. UNSAFE STRUCTURES** – RESOLUTION - Motion to schedule a public hearing for July 12, 2023, at 7:00 p.m. on the proposed unsafe structure law moved by Councilmember Matt Retz. Seconded by Councilmember Tom Ives. Ayes: Councilmember Terry Ives, Tom Ives, Matt Retz, and Gilda Ward. Noes: None. Motion Carries.
- E. BERGMANN/COLIERS PROPOSAL – GUILFORD LAKE DAM** - This is a proposal to perform a required Dam Safety Inspection, Low Level Outlet Evaluation, and Incremental Design Flood Analysis of the Guilford Lake Dam. RESOLUTION – Motion to approve the contract and authorize Supervisor Seneck to sign the contract with Colliers to perform the required inspections moved by Councilmember Terry Ives. Seconded by Councilmember Matt Retz. Ayes: Councilmember Terry Ives, Tom Ives, Matt Retz, and Gilda Ward. Noes: None. Motion Carries.

VIII NEW BUSINESS

- A. SUMMER PROGRAM SAFETY PLAN** – RESOLUTION – Motion to approve the Town of Guilford Summer Program Safety Plan to be in compliance with our insurance carrier requirements moved by Councilmember Tom Ives. Seconded by Councilmember Gilda Ward. Ayes: Councilmember Terry Ives, Tom Ives, Matt Retz, and Gilda Ward. Noes: None. Motion carries.
- B. GUILFORD PARK LAW** – Supervisor Seneck recommends taking the Local Law regarding Town of Guilford Parks to the Attorney for review and recommendations regarding a fine and penalties schedule.
- C. SUMMER PROGRAM STAFF APPOINTMENTS** – RESOLUTION - Motion to appoint the following individuals to the respective summer positions effective June 26, 2023: As Lifeguards: Adriana Petrutoni at \$17.50/hour, Suzanne Robinson at \$18/hour, Julian Pruskowski at \$18/hour, Jonathan Alemar at \$18/hour; Sub Lifeguard: Sue McIntyre at \$17.50/hour; Beach Aide & Bus Driver: Carol Seha at \$18/hour; Beach Aide: Logan Hubbard at

\$17/hour. Summer Program Assistant Director: Suzanne Robinson at \$1,200 salary moved by Councilmember Terry Ives. Seconded by Councilmember Tom Ives. Ayes: Councilmember Terry Ives, Tom Ives, Matt Retz, and Gilda Ward. Noes: None. Motion carries.

- D. 284 AGREEMENT** – Supervisor Seneck reviewed the 284-agreement for 2023. Total amount for highway general repairs will be \$440,365.16 for 6.2 miles. RESOLUTION – Motion to accept the 284-agreement moved by Councilmember Terry Ives. Seconded by Councilmember Matt Retz. Ayes: Councilmember Terry Ives, Tom Ives, Matt Retz, and Gilda Ward. Noes: None. Motion carries.
- E. FIREWORKS PERMIT REQUEST – NORTH POND WESTSIDE LANDOWNERS ASSOCIATION** - RESOLUTION - Motion to approve the request to hold the fireworks on July 4 with a rain date of July 8 moved by Councilmember Tom Ives. Seconded by Councilmember Gilda Ward. Discussion: The group must notify the Guilford fire department. Ayes: Councilmember Terry Ives, Tom Ives, Matt Retz, and Gilda Ward. Noes: None. Motion carries.
- F. CATSKILL DIRT SLINGERS** – The Town Board agrees that no refunds will be given for cancelled events.
- G. NBT BANK T-BILL INVESTMENTS** – RESOLUTION – Motion to invest \$1,500,000 with NBT Bank T-Bills at a 3, 6, 9 and 12 month interval terms moved by Councilmember Matt Retz. Seconded by Councilmember Tom Ives. Ayes: Councilmember Terry Ives, Tom Ives, Matt Retz, and Gilda Ward. Noes: None. Motion Carries.
- H. HUSTED WATER CONTRACT** - Supervisor Seneck reported nothing has changed with the contract. RESOLUTION - Motion to authorize Supervisor Seneck to sign the contract moved by Councilmember Terry Ives. Seconded by Councilmember Gilda Ward. Ayes: Councilmember Terry Ives, Tom Ives, Matt Retz, and Gilda Ward. Noes: None. Motion carries.
- I. LIVESTOCK FENCING** – There are major issues with livestock on our roadways in Guilford on County Roads 36 and 38. Properties are not fenced and numerous animal and vehicle confrontations are occurring. Guilford currently does not have a local law regarding this and must rely on New York State public nuisance laws, and Ag & Markets laws and enforcement and support by the local Sheriffs and NYS Troopers. Supervisor Seneck will contact Troop C and will also contact the Sheriff's office with the Board and Town's concerns. He will draft a certified letter to the property owner on County Road 38 with the Town's concerns and state that the Town Board will act if fences are not built within a designated timeframe.

IX FROM THE FLOOR - Speaker 1 commends the Town and Town Board for our organization, preparation, review and moving issues along.

X EXECUTIVE SESSION

RESOLUTION - Motion to go into Executive Session at 9:11 p.m. to discuss a personnel matter moved by Councilmember Terry Ives. Seconded by Councilmember Tom Ives. Ayes: Councilmember Terry Ives, Tom Ives, Matt Retz, and Gilda Ward. Noes: None. Motion carries.

RESOLUTION – Motion to exit Executive Session at 9:28 p.m. made by Councilmember Terry Ives. Seconded by Councilmember Gilda Ward. Ayes: Councilmember Terry Ives, Tom Ives, Matt Retz, and Gilda Ward. Noes: None. Motion carries.

XI AUDIT & PAYMENT OF BILLS

At an earlier time, General Fund vouchers number 116 – 140 in the amount of \$50,605.54, Highway Fund vouchers number 77 - 98 in the amount of \$156,847.84, Capital Fund voucher number 4 in the amount of \$50.00, Lighting District vouchers number 10 - 12 in the amount of \$638.61, Mt. Upton Water District vouchers number 30 - 37 in the amount of \$920.42 and Guilford Water District vouchers number 28 - 33 in the amount of \$1,024.48 were audited. Motion to

approve payment of the bills moved by Councilmember Terry Ives. Seconded by Councilmember Tom Ives. Ayes: Councilmember Terry Ives, Tom Ives, Matt Retz, and Gilda Ward. Noes: None. Motion carries.

XII ADJOURNMENT

Being no further business, Councilmember Terry Ives moved to adjourn at 9:47 p.m. Seconded by Councilmember Matt Retz. Ayes: Councilmember Terry Ives, Tom Ives, Matt Retz, and Gilda Ward. Noes: None. Motion carries.

Respectfully Submitted,

Jodie M. Ives, Town Clerk